

**REMARKS/ARGUMENTS**

Claims 1 through 11, and 16 are pending in the present application. Claims 8, and 10 through 15 having been withdrawn without prejudice to file a potential future continuation patent application. Independent claim 16 is newly added.

In the Action, the Office indicated that claims 7 and 9 are allowed. The Action further noted that claims 8, 10, and 11, although previously withdrawn, may now be rejoined into the application based upon the fact that these claims depend from allowable claim 7. The Office requested a statement from the applicant requesting this rejoinder.

Applicant hereby respectfully requests that claims 8, 10 and 11 be rejoined into the application. Applicant respectfully submits that claims 7 through 11 are now all in condition for allowance.

In the Action, the Office further indicated that claims 2 through 4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended claim 2. Claim 2 is now in independent form and includes all of the limitations of the base claim and any intervening claims. Claims 3 and 4 depend from claim 2. Applicant respectfully submits that claims 2 through 4 are now in condition for allowance.

In the Action, claims 1, and 5 through 6 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No.: 5,816,126 to Pluber (hereinafter "Pluber"). Applicant respectfully traverses this rejection on the grounds that Pluber neither discloses nor suggests the combination of elements of independent claim 1.

Claim 1 provides for a vertical blind cut-down apparatus for trim cutting a vertical blind having a horizontal headrail defining two ends, and vertical blind materials defining upper and lower ends suspended by the upper ends from the headrail.

The vertical blind cut down apparatus has a cutting die. The cutting die is for the headrail and the cutting die is adapted to receive the headrail extending therethrough. (See applicant's specification at page 8, line 24 through 28).

The cutting die is movable relative to a holding plate for cutting one end of the headrail. The vertical blind cut down apparatus has a movement transmission device for moving the cutting die and for moving the blind cutting device whereby both the vertical blind materials and the headrail are cut.

Pluber does not disclose or suggest any cutting die for the headrail being adapted to receive the headrail extending therethrough. Specifically, applicant's cutting die provides a relatively simple and straightforward blind cut down apparatus to cut the head rail and the blind

Serial No: 09/814,261  
Group Art Unit No.: 3724

material simultaneously on a single machine. The cutting die for the head rail that is adapted to receive the headrail extending therethrough achieves cutting action over a small distance using considerable leverage relative to Pluber. The blind material cutting bar moves a greater distance simultaneously with the movement of the headrail cutting die support which moves over a shorter distance. (See applicant's specification at page 10, lines 14 through 19).

The Office suggests that at Figure 5B, Pluber discloses the cutting die for the headrail. Pluber does not disclose any cutting die, let alone one adapted to receive the headrail extending therethrough.

In contrast, Pluber discloses a cutter or knife for shortening blinds. The cutter or knife has a plate 24 that has a first opening for receiving a top rail of the blinds and a second opening for receiving the slats. The plate 24 further has a third opening for receiving a bottom rail. The first opening, the second opening and the third opening are all spaced apart from one another in a longitudinal direction.

The cutter also has a support member. The support member is slidably mounted. The support member is for moving in a longitudinal direction of the first opening, the second opening, and the third opening of the plate 24.

The cutter or knife of Pluber has a first blade, a second blade, and a third blade all disposed on the support member. (See col. 4, lines 14 through 31). The support

Serial No: 09/814,261  
Group Art Unit No.: 3724

member moves the first blade, the second blade and the third blade for sliding flush over the plate 24 with the first, second and third openings. (See column 3, lines 30 through 34).

Pluber discloses a different configuration where the cutter or knife has the first blade, the second blade and the third blade. Pluber simply does not disclose any cutting die as claimed in claim 1, let alone one movable relative to a holding plate for cutting one end of the headrail, let alone any that is adapted to receive the headrail extending therethrough.

In contrast, Pluber discloses three separate and distinct blades that cut in a "guillotine like" manner. In view of the clear distinction, reconsideration and withdrawal of the rejection of claim 1 are respectfully requested.

Claims 5 through 6 depend from claim 1, and are patentable for at least the reasons discussed above with regard to independent claim 1. Reconsideration and withdrawal of the rejection of claims 1, and 5 through 6 are respectfully requested.

New claim 16 is also patentable over Pluber. Claim 16 discloses that the blind cut-down apparatus has a headrail opening in a holding plate. The headrail opening has a first shape.

The blind cut-down apparatus also has a cutting die. The cutting die defines a cutting opening and the cutting

Serial No: 09/814,261  
Group Art Unit No.: 3724

opening has a second shape. The first shape is complementary to the second shape, and the cutting die is slidably moveable relative to the holding plate so that the headrail is cut.

Pluber does not disclose or suggest any such cutting die, let alone one that defines a cutting opening with the cutting opening has a second shape that is complementary to the first shape of the headrail opening. Applicant states that claim 16 is patentable over Pluber.

Upon filing the application on March 21, 2001 and subsequent to the filing on August 28, 2002, applicant submitted (1) an Information Disclosure Statement, and (2) a second Supplemental Information Disclosure Statement.

Notwithstanding that the applicant requested consideration of the same in applicant's last amendment dated June 17, 2004, applicant's Information Disclosure Statement dated March 21, 2001 and Supplemental Information Disclosure Statement have still not been noted as acknowledged by the Office.

Accordingly, applicant respectfully requests that the Office supply a courtesy copy of applicant's Form 1449 in conformance with MPEP §609 as soon as possible from both information disclosure statement submissions, and the Office note consideration of the same.

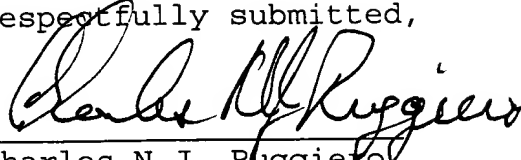
In view of the foregoing, applicant respectfully submits that claims 1 through 11, and new claim 16 are in condition for allowance. Accordingly, applicant

Serial No: 09/814,261  
Group Art Unit No.: 3724

respectfully requests favorable consideration and that the  
application be passed to allowance.

Dated: February 7, 2005

Respectfully submitted,



Charles N.J. Ruggiero  
Attorney for Applicant  
Reg. No. 28,468  
Ohlandt, Greeley, Ruggiero  
& Perle, L.L.P.  
One Landmark Square, 10<sup>th</sup> Floor  
Stamford CT 06901-2682  
Tel: 203-327-4500  
Fax: 203-327-6401